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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/534,641

05/11/2005

Reinhard List

P1981

7102

24739 7590 09/19/2007
CENTRAL COAST PATENT AGENCY, INC
3 HANGAR WAY SUITE D
WATSONVILLE, CA 95076

EXAMINER

FLETCHER III, WILLIAM P

ART UNIT	PAPER NUMBER
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1762

MAIL DATE	DELIVERY MODE
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09/19/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/534,641

Applicant(s)

LIST, REINHARD

Examiner

William P. Fletcher III

Art Unit

1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 50-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>definitions (3 pgs.)</u> |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 13, 2007, has been entered.

Response to Amendment

2. Claims 50-68 are now pending.
3. The Examiner notes that claim 68 has an incorrect status identifier. The status identifier should read "new" instead of "previously presented."

Response to Arguments

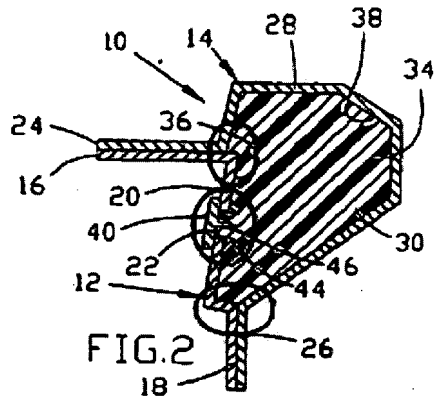
4. Applicant's arguments filed August 13, 2007, have been fully considered but they are not persuasive.

The claims require "a juncture of any two of the two or more metal parts of the assembly." Applicant has not explicitly defined the term "junction" in either the specification or claims. As such, the Examiner has interpreted "junction" according to the ordinary meaning of the term. A "junction" is defined as a "joint" which, in turn, is defined as "a place where two things or parts are joined."¹ As illustrated in Fig. 2, Cleslik's assembly of two or more metal parts have numerous places where two things

¹ See the definitions of "junction" and "joint" from <http://www.m-w.com> attached to this Office action.

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or parts are joined (i.e., "put or brought into close association or relationship" or "together so as to be connected"²). These junctures are circled below:



As such, Cleslik clearly and readily anticipates Applicant's claimed "junction."

Further, the claims require that the corrosion-protection element is "shaped to conform to the junction." Applicant has not explicitly defined the term "conform" in either the specification or claims. Insofar as the corrosion-protection element is present at the junction (see above) and is bounded by the junction so as to give it a shape defined by said boundary, Cleslik clearly and readily anticipates Applicant's claimed "shaped to conform."

Finally, it is the Examiner's position that, after assembly of the pillar but prior to subsequent finishing steps, clearly and readily anticipates Applicant's claimed "at a point in an assembly process."

Claim Rejections - 35 USC § 102

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

² See the definition of "join" from <http://www.m-w.com> attached to this Office action.

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6. Claims 56-68 are rejected under 35 U.S.C. 102(b) as being anticipated by Cleslik (EP 0 453 777 A2).

These claims are rejected for the same reasons as set forth in the prior Office action and as explained above.

Conclusion

7. All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

8. The prompt development of clear issues in the prosecution history requires that applicant's reply to this Office action be fully responsive (MPEP § 714.02). When filing

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an amendment, applicant should specifically point out the support for any amendment made to the disclosure, including new or amended claims (MPEP §§ 714.02 & 2163). A fully responsive reply to this Office action, if it includes new or amended claims, must therefore include an explicit citation (i.e., page number and line number) of that/those portion(s) of the original disclosure which applicant contends support(s) the new or amended limitation(s).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Fletcher III whose telephone number is (571) 272-1419. The examiner can normally be reached on Monday through Friday, 0900h-1700h.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy H. Meeks can be reached on (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William Phillip Fletcher III/
Primary Examiner

September 5, 2007



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join

2 entries found.

join[1,verb]

join[2,noun]

Main Entry: **1join**

Pronunciation: \ˈjɔɪn\

Function: *verb*

Etymology: Middle English, from Anglo-French *joindre*, from Latin *jungere* — more at [YOKE](#)

Date: 13th century

transitive verb

1 a : to put or bring together so as to form a unit <join two blocks of wood with glue> **b** : to connect (as points) by a line **c** : [ADJOIN](#)

2 : to put or bring into close association or relationship <joined in marriage>

3 : to engage in (battle)

4 a : to come into the company of <joined us for lunch> **b** : to associate oneself with <joined the church>

intransitive verb

1 a : to come together so as to be connected <nouns join to form compounds> **b** : [ADJOIN](#) <the two estates join>

2 : to come into close association or relationship: as **a** : to form an alliance **b** : to become a member of a group **c** : to take part in a collective activity <join in singing>

— **join-able** \ˈjɔɪ-nə-bəl/ *adjective*

synonyms [JOIN](#), [COMBINE](#), [UNITE](#), [CONNECT](#), [LINK](#), [ASSOCIATE](#), [RELATE](#) mean to bring or come together into some manner of union. [JOIN](#) implies a bringing into contact or conjunction of any degree of closeness <joined forces in an effort to win>. [COMBINE](#) implies some merging or mingling with corresponding loss of identity of each unit <combined jazz and rock to create a new music>. [UNITE](#) implies somewhat greater loss of separate identity <the colonies united to form a republic>. [CONNECT](#) suggests a loose or external attachment with little or no loss of identity <a mutual defense treaty connected the two nations>. [LINK](#) may imply strong connection or inseparability of elements still retaining identity <a name forever linked with liberty>. [ASSOCIATE](#) stresses the mere fact of frequent occurrence or existence together in space or in logical relation <opera is popularly associated with high society>. [RELATE](#) suggests the existence of a real or presumed logical connection <related what he observed to what he already knew>.

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joint

Entries 1 to 10 of 19. [Next 9](#)

joint [1,noun]
 joint[2,adjective]
 joint[3,verb]
 ball-and-socket joint
 ball joint
 butt joint
 clip joint
 hinge joint
 hip joint
 Joint Chiefs of Staff

Main Entry: **1**joint

Pronunciation: \ˈjɔɪnt\

Function: *noun*Etymology: Middle English *jointe*, from Anglo-French, from *joindre*

Date: 13th century

1 a (1) : the point of contact between elements of an animal skeleton with the parts that surround and support it (2) : **NODE** **5b** : a part or space included between two articulations, knots, or nodes **c** : a large piece of meat for roasting

2 a : a place where two things or parts are joined **b** : a space between the adjacent surfaces of two bodies joined and held together (as by cement or mortar) **c** : a fracture or crack in rock not accompanied by dislocation **d** : the flexing part of a cover along either spine edge of a book **e** : the junction of two or more members of a framed structure **f** : a union formed by two abutting rails in a track including the elements (as bars and bolts) necessary to hold the abutting rails together **g** : an area at which two ends, surfaces, or edges are attached

3 a : a shabby or disreputable place of entertainment **b** : **PLACE, ESTABLISHMENT** **c slang** : **PRISON** **2**

4 : a marijuana cigarette

— **joint-ed** \ˈjɔɪn-təd\ *adjective*

— **joint-ed-ly** *adverb*

— **joint-ed-ness** *noun*

— **out of joint**

1 a *of a bone* : having the head slipped from its socket **b** : at variance

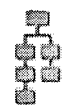
2 a : **DISORDERED** **2a b** : being out of humor : **DISSATISFIED** <losing put him out of joint>

Physician-reviewed articles on joint on Healthline.

1. Aging changes in the bones - muscles - joints (5 images)

The finger joints lose cartilage and the bones thicken sl...

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1. Osteoarthritis And Joint Replacement Surgery
2. Toe Joint Deformities

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☒ Dictionary ☐ Thesaurus ☐ Spanish/English ☐ Medical **joined**

juncture

One entry found.

juncture

Main Entry: **junc-ture** 

Pronunciation: \ˈjəŋ(k)-chər\

Function: *noun*

Date: 14th century

1 a JOINT CONNECTION **b** : the manner of transition or mode of relationship between two consecutive sounds in speech

2 : an instance of joining : JUNCTION

3 : a point of time; *especially* : one made critical by a concurrence of circumstances

synonyms JUNCTURE, EXIGENCY, EMERGENCY, CONTINGENCY, PINCH, STRAITS, CRISIS mean a critical or crucial time or state of affairs. JUNCTURE stresses the significant concurrence or convergence of events <an important *juncture* in our country's history>. EXIGENCY stresses the pressure of restrictions or urgency of demands created by a special situation <provide for *exigencies*>.

EMERGENCY applies to a sudden unforeseen situation requiring prompt action to avoid disaster <the presence of mind needed to deal with *emergencies*>. CONTINGENCY implies an emergency or exigency that is regarded as possible but uncertain of occurrence <*contingency* plans>. PINCH implies urgency or pressure for action to a less intense degree than EXIGENCY or EMERGENCY <come through in a *pinch*>.

STRAITS applies to a troublesome situation from which escape is extremely difficult <in dire *straits*>.

CRISIS applies to a juncture whose outcome will make a decisive difference <a *crisis* of confidence>.

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